



M O S K O W I T Z & B O O K , L L P

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August 3, 2020

BY ECF

Hon. Kiyo A. Matsumoto
U.S. District Judge
U.S. Courthouse
225 Cadman Plaza east
Brooklyn, NY 11201

Re: U.S. v. Tyshawn Corbett
 20 Cr. 213 (KAM)

Dear Judge Matsumoto:

As directed by the Court at today's status conference, this letter is respectfully submitted on behalf of the defendant Tyshawn Corbett to request that the Court allow me to continue as counsel for Mr. Corbett in this matter, alongside his retained counsel, Paul King and Derrick Magwood.

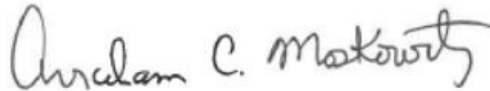
As mentioned at the August 3 conference, I have been appointed numerous times both in this district and in the Southern District of New York, to serve as lead counsel or as learned counsel for defendants charged with capital offenses. In the vast majority of those cases, once the Department of Justice decided not to seek the death penalty, learned counsel was allowed to stay on to assist trial counsel in the case, due to the complexity of the case and the fact that the defendant was facing a life sentence if convicted on the murder charge. Among the cases in this district in which I served as learned counsel and was allowed to stay on through the end of the case are United States v. Dwight Stone, 05 Cr. 401 (ILG) and United States v. Wilmer Desinor, 01 Cr. 1343 (DGT), both of which went to trial. In the Southern District, among the cases in which I was allowed to remain on the case after the Government's decision not to seek the death penalty are the following: U.S. v. Karriem Broadnax, 15 Cr. 878 (VM); U.S. v. Andre Davidson, 07 Cr. 03 (BSJ); U.S. v. Samir Krasniqi, 10 Cr. 464 (RJH); U.S. V. Raheem Maldonado, 15 Cr. 386 (JGK); U.S. V. Ontiveros-Mesa, 14 Cr. 133 (GHW); U.S. v. Adonis Ramirez, 18 Cr. 669 (JPO); U.S. v. Jamal Smalls, 14 Cr. 167 (NRB); U.S. v. James Smith, 13 Cr. 889 (RMB); and U.S. v. Anthony Valentine, 06 Cr. 580.

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It is undisputed that the decision whether to allow learned counsel to remain on the case after the Government announces a decision not to seek the death penalty is a discretionary one. I have discussed this issue with Mr. Corbett, and he has requested that I advise the Court that he would like me to continue on as his counsel. In the short period of time that I have been on this case, I have developed a good rapport and relationship with Mr. Corbett and his family and I am confident that if allowed to remain on the case, I will be able to assist Mr. King and Mr. Magwood in providing Mr. Corbett the best possible defense in this very serious case.

Thank you for your consideration of this letter.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Avraham C. Moskowitz". The signature is written in a cursive, flowing style.

Avraham C. Moskowitz

cc: All Counsel of Record (by ECF)